

IN THE CLAIMS

Please cancel Claim 16 without prejudice to or disclaimer of the subject matter recited therein.

Please amend Claims 1 and 9-11 as follows.

1. (Currently Amended) An image taking apparatus comprising:
  - a light splitting unit which splits a light flux from an image-taking lens into a plurality of light fluxes;
  - a view finder optical system configured and positioned to observe an object image formed by the light flux from the image-taking lens;
  - an image pickup element which photoelectrically converts the object image to an electrical signal; and
  - a focus detection unit configured and positioned to detect the focusing state of the image-taking lens according to a phase difference detection system,
    - wherein the light splitting unit changes its state among a first state in which the light flux is directed to the view finder optical system and the focus detection unit, a second state in which the light flux is directed to the image pickup element and the focus detection unit and a third state in which the light flux is directed only to the image pickup element,
    - wherein the light splitting unit has ~~a first mirror comprising a half mirror and second a reflection mirror which are movable independently of each other prevents an incident light flux from passing through the reflection mirror.~~

wherein in the first state, the half mirror and the reflection mirror are positioned in an image-taking optical path so that part of the light flux is reflected by the first half mirror and directed to the view finder optical system, and the rest of the light flux passes through the first half mirror, is reflected by the second reflection mirror and directed to the focus detection unit, and

wherein in the second state, the reflection mirror is withdrawn from the image-taking optical path and the orientation of the reflecting surface of the half mirror is changed in the image-taking optical path with respect to the first state so that part of the light flux is reflected by the first half mirror and directed to the focus detection unit, and the rest of the light flux passes through the first half mirror and is directed to the image pickup element, and

wherein in the third state, the half mirror and the reflection mirror are withdrawn from the image-taking optical path so that the light flux is directed only to the image pickup element.

2. (Original) The image taking apparatus according to claim 1, further comprising:  
an image display unit which displays image data acquired using the image pickup element; and  
a control circuit which controls the driving of the image display unit,  
wherein the control circuit causes the image display unit to display the image data when the light splitting unit is in the second state.

3. (Original) The image taking apparatus according to claim 2,  
wherein the control circuit causes the image display unit to display only a part of  
the image data when the light splitting unit is in the second state.

4. (Previously Presented) The image taking apparatus according to claim 1, further  
comprising:  
an information display unit which displays information within the field of view of  
the view finder optical system; and  
a control circuit which controls the driving of the information display unit,  
wherein the control circuit does not drive the information display unit when the  
light splitting unit is in the second state.

5. (Previously Presented) The image taking apparatus according to claim 1, further  
comprising:  
a light-blocking member which moves with respect to the optical path of the view  
finder optical system; and  
a control circuit which controls the driving of the light-blocking member,  
wherein the control circuit causes the light-blocking member to be inserted into  
the optical path of the view finder optical system when the light splitting unit is in the  
second state.

6. (Previously Presented) The image taking apparatus according to claim 1, further comprising:

a control circuit which determines the focusing state of the image-taking lens based on the output of the focus detection unit,

wherein the control circuit changes the determination of the focusing state according to the first state and the second state.

7. (Previously Presented) The image taking apparatus according to claim 6, wherein the control circuit determines the focusing state by correcting the output of the focus detection unit based on an initial phase difference and changes the value of the initial phase difference according to the first state and the second state.

8. (Cancelled)

9. (Currently Amended) The image taking apparatus according to claim 1, wherein the position of the reflecting surface of the second reflection mirror in the first state is substantially the same as the position of the reflecting surface of the first half mirror in the second state.

10. (Currently Amended) The image taking apparatus according to claim 1, wherein when changing from one state to the other between the first state and the second state, the light splitting unit is placed in the third state ~~in which the first mirror and the second mirror are withdrawn from an image-taking optical path.~~

11. (Currently Amended) The image taking apparatus according to claim 1, further comprising:

a stopper member which contacts the first half mirror for positioning the first half mirror in the first state,  
wherein the stopper member can move with respect to a moving track of the first half mirror.

12. (Previously Presented) The image taking apparatus according to claim 1,  
wherein the image-taking lens is attachable and detachable to the image taking apparatus.

13-16. (Cancelled)